IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

WEDNESDAY, THE 20TH DECEMBER 2006 / 29TH AGRAHAYANA 1928

WP(C).No. 34062 of 2006(E)

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AGAINST THE ORDER DATED 12/07/2006 IN IA 3635/2006 IN
OS.10/2005 of PRL.MUNSIFF COURT,NEDUMANGAD
OS.593/2005 of ADDL.MUNSIFF COURT,NEDUMANGAD
(IA 3239/2006)

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PETITIONER:

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VIMALA, 51 YEARS,
D/O. RAJAMMA, VIMALA BHAVAN,
PALEKKONAM, KOTTAKKAKAM MURI,
ARYANAD VILLAGE,THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI.A.S.SABU

RESPONDENTS:

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1. BABY SAROJAM, D/O. SARASA BHAI,
KRISHNA VILASAM,
MANALUVILA, VENPAKAL,
ATHIYANNUR VILLAGE, NEYYATTINKARA TALUK,
THIRUVANANTHAPURAM DISTRICT.
2. K. MADHAVAN, ANANDA BHAVAN,
AZHAKIKONAM, CHENKAL VILLAGE,
NEYYATTINKARA TALUK, TRIVANDRUM DISTRICT.
3. K. PRABHAKARAN, AYODHYA BHAVAN,
MUTTAKKAD, PERUMPAZHUTHOOR, CHENKAL VILLAGE,
NEYYATTINKARA TALUK, TRIVANDRUM DISTRICT.
4. K. MOHANAKUMAR, VAISHNAVAM,
MUTTAKKAD, PERUMPAZHUTHOOR, CHENKAL VILLAGE,
NEYYATTINKARA TALUK, TRIVANDRUM DISTRICT.
5. RAJESWARI, D/O. SARASA BHAI,
LAKSHMI SADANAM,
MUTTAKKAD, PERUMPAZHUTHOOR, CHENKAL VILLAGE,
NEYYATTINKARA TALUK, TRIVANDRUM DISTRICT.
6. REMA, D/O. GOMATHI,
K.S.NIVAS, PALEKONAM, ARYANAD VILLAGE,
NEYYATTINKARA TALUK, TRIVANDRUM DIST.

7. ENOSE RADHAKRISHNAN, KALIVEEDU,
PALEKONAM, PAZHAYATHERUVU MURI,
ARYANAD VILLAGE, NEYYATTINKRA TALUK,
TRIVANDRUM DISTRICT.
8. RANJAN, KUZHIVILA VEEDU,
PALEKKONAM, PAZHAYATHERUVU MURI,
ARYANAD VILLAGE, TRIVANDRUM DISTRICT.

9. SHYLA, W/O. RANJAN, KUZHIVILA VEEDU,
PALEKKONAM, PAZHAYA THERUVU MURI,
ARYANAD VILLAGE, TRIVANDRUM DISTRICT.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20 /12 /2006 , THE COURT ON 20/12/2006 DELIVERED THE FOLLOWING:

**M.SASIDHARAN NAMBIAR,J.**

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**W.P.(C)NO.34062 OF 2006**

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**DATED THIS THE 20th DAY OF DECEMBER, 2006**

**JUDGMENT**

This petition is filed under Article 227 of Constitution of India seeking a direction to Munsiff Court-I Nedumangad and Munsiff Court-II Nedumangad where O.S.593/05, O.S.10/05 and O.S.604/03 are pending. Case of petitioner is to stay further proceedings in the suits till final decision is taken in O.P.633/06 pending before Family Court, Nedumangad. The question whether petitioner is the legally wedded wife of deceased Bahuleyan, the original plaintiff in the suits pending before Munsiff Court is being agitated before Family Court in O.P.633/06. On the death of Bahuleyan, whether petitioner sought to get herself impleaded on his legal heir. It is opposed by the brothers of Bahuleyan. According to petitioner, whether she is entitled to come up on record is a matter, which would depend upon the finding in O.P.633/06 and therefore till a decision is taken in O.P.633/06 further proceedings in the suits are to be kept in abeyance.

That is a matter to be considered by the concerned Munsiffs. Petitioner is at liberty to file applications seeking the relief, before the respective Courts. If such an application is filed, Courts to pass

appropriate order in accordance with law. Petition disposed accordingly.

**M.SASIDHARAN NAMBIAR,JUDGE**

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